

From: Daniel Davis [Daniel.Davis@earthlink.net]
Sent: Thursday, February 01, 2007 10:55 PM
To: MLPAComments@resources.ca.gov
Subject: [MLPA Comments] Comments to Fish and Game Commisison.

I have attached a copy of comments that I will make at the February 2 Meeting in Monterey.

Daniel Davis
Council Member, City of Pacific Grove

**Fish and Game Commission Meeting
February 2, 2007 Monterey, CA**

**Comments by Daniel Davis
Council Member, City of Pacific Grove
Former Central Coast Regional Stakeholder**

Dear Commissioners,

The City Council of Pacific Grove has already communicated to you before its desire to have the maximum protection possible for its entire coastline. This is also the desire of the citizens of Pacific Grove as shown by a citizen's initiative that passed in 2001.

Although we are pleased that the Fish and Games' Commission's preferred alternative sets aside two thirds of the Pacific Grove coastline in two state marine reserves, there are some concerns about the level of protection provided for the proposed State Conservation Area.

On page 20, Section (32)(B) paragraph 2.a, . the draft regulations provide that:

"Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 220 within the Pacific Grove Marine Gardens State Marine Conservation Area in any calendar month."

This does not seem consistent with good conservation practice as the abundance of kelp is seasonal, varying from month to month, and there is no maximum total annual take of kelp using this provision, since there is no limit on the number of harvesters. Dr. Chris Harold of the Monterey Bay Aquarium has made an extensive scientific study of these kelp beds, so data is available to estimate a maximum monthly sustainable take for all harvesters for this area, collectively. The regulations should be based on this scientific data and the principle of a maximum sustainable total take.

Similarly, it seems that the recreational divers have a valid concern that fish tournaments should not be allowed in any state conservation area. Normal recreational fishing may be a valid use for this area, but fish tournaments, whose purpose is to strip the area of the largest, and therefore most mature fish, seems inconsistent with the purpose of the Act and good conservation management practice. It also seems unnecessary. I urge you to prohibit such tournaments in conservation areas.

You have a difficult set of decisions before you. I hope you will give some consideration to the issues and concerns I have raised.

I commend you for your public service. Thank you.